IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.1427 OF 2004

Maharashtra Power Development Corporation Ltd. ..Plaintiff.

V/s.

1.Dabhol Power Company & Ors. ..Defendants.

Mr.Rahul Chitnis, Sindhu Sarath & Shirish Verdhan i/b M & M legal Venture for Plaintiff.

Mr. Fareed Karachiwala i/b Wadia Ghandy for defendant No.4.

CORAM: A.M.KHANWILKAR,J

DATE : JULY 25, 2005.

P.C. :

1. An overall out of Court settlement has been arrived at and Settlement Agreement dated 1st July, 2005 between GE Parties and MSEB Parties (out of which MPDCL is the Plaintiff abovenamed) and Settlement Agreement dated 12th July, 2005 between Bechtel Parties and MSEB Parties (out of which MPDCL is the Plaintiff abovenamed) have been executed.

2. In view thereof, the Plaintiff seeks to withdraw the Suit. Suit allowed to be withdrawn with no order as to costs.

3. The Prothonotary & Senior Master, High Court,

Bombay to refund to the Plaintiff the sum of Rs.18,00,00,000/-(Rupees Eighteen Crores only) deposited by them pursuant to the Order datedd 25th February, 2005 passed in Notice of Motion No.1427 of 2004 of this Hon’ble Court alongwith accrued interest thereon.

4. Suit stands disposed of in the above terms.

5. Refund of court fee as per rules.